

REMARKS

Favorable reconsideration of the above-identified application is requested in view of the amendments herein and the following remarks.

Claims 15 and 16 are newly added. Thus, Claims 1, 3-8 and 10-16 are pending in this application, with Claims 1 and 15 being the only independent claims.

Claims 1, 3, 5 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kitagawa* (JP 10-304950), hereinafter *Kitagawa*, in view of *Shang* (U.S. Patent No. 6,132,455), hereinafter *Shang*. Claims 4 and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kitagawa* in view of *Shang* and further in view of *Balaton* (U.S. Patent No. 5,044,030). Claims 6, 7, 12 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kitagawa* in view of *Shang* and in further view of *Navarro* (U.S. Patent No. 6,226,820). Claims 8 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kitagawa* in view of *Shang* and in further view of *Carson* (U.S. Patent No. 6,132,455).

Claim 1 defines a mat comprising multiple filling chambers which are in parallel and adjacent to each other. The multiple filling chambers are formed of flexible sheets. A gel-like heat medium is charged into the multiple filling chambers by inserting closely a bag having the heat medium charged therein into each of the multiple filling chambers and sealing the multiple filling chambers. The multiple filling chambers are expanded by a pressure of the heat medium by providing embosses. Each emboss is formed by bonding together predetermined regions of wall surfaces that are opposite to one another and in the vicinity of at least one end of the filling chamber.

Kitagawa discloses a mat 1 that is made up of a plurality of water bags 2.

Each water bag 2 has an inner bag 3 into which a liquid and air are sealed, and an outer bag 4 covering the inner bag 3. It is possible that the edges of the bags are sealed by heat seals. The bags 2 are connected together to form a water mat by slide fasteners 5.

Shang discloses a cooling comfort cushion. *Shang* discloses that each envelope 104 is comprised of a top sheet 103 and a bottom sheet 102. The top sheet 103 and the bottom sheet 102 are connected by heat sealed seams 105 and 106.

The Examiner proposes that it would have been obvious, in view of *Shang*, to provide embosses in the manner claimed, to *Kitagawa*, and that such a combination would disclose or suggest Claim 1. That is not the case, for at least the following reasons.

First, there would have been no motivation to modify *Kitagawa* as suggested in the office action. *Kitagawa* discloses an inner bag 3 that is fitted inside an outer bag 4. The inner bag 3 is sealed at the outer seams, possibly by a heat seal. The outer bag 4 is also sealed on the outer seams, possibly by a heat seal. The outer bags 4 are connected to one another with slide fasteners 5. In *Shang*, the heat sealed seams 105 and 106 are provided to establish the envelopes 104. Because *Shang* discloses that heat seals 105 and 106 are provided on the extreme **outer periphery** of the envelopes 104, a skilled person would understand that they provide heat seals at the outer seams of the envelopes 104. That is, the heat seals 105 and 106 function essentially the same way as any heat seals in *Kitagawa*. When faced with the two references, a skilled person would understand that *Kitagawa* has seals

on outer seams of each bag 3 and 4, e.g., that are essentially the same as the heat seals 105 and 106 in *Shang*. Therefore, *Shang* would have directed a skilled person, at most, to use heat seals to seal the outer seams of the inner bag 3 and the outer bag 4, as possibly already shown in *Kitagawa*, and not to apply an additional embossing as described in the present application.

Also, even if a skilled person were somehow motivated to introduce the heat seals 105 and 106 from *Shang* into *Kitagawa*, the heat sealed seams 105 and 106 are not embosses in the context of the present application or as understood in the art. That is, Claim 1 recites that the filling chambers are expanded by a pressure of a heat medium **by providing embosses** that are formed by bonding together predetermined regions of wall surfaces. There is no disclosure or suggestion in either reference that the heat seals 105 and 106 in *Shang* or potential heat seals in *Kitagawa* would operate to expand the filling chambers by a pressure.

For at least those reasons, the rejection of Claim 1 should be withdrawn.

It is believed that the new independent Claim 15 is allowable based on the above arguments and because Claim 15 further recites that the embosses are completely circumscribed by un-embossed portions of the filling chamber. Clearly, the heat seals in the cited documents do not read on that recitation.

Claim 16 is allowable at least by virtue of its dependence from Claim 15.

The dependent claims are rejected over *Kitagawa* in view of *Shang*, or *Kitagawa* in view of *Shang* and further in view of various secondary references. Neither the rejections of the dependent claims, nor the secondary references, remedy the deficiencies of the rejection of Claim 1. Therefore, the rejections of the dependent claims should be withdrawn for at least the same reasons.

For at least the reasons stated above, all the claims in this application are allowable, and allowance of the application is requested.

Should any questions arise in connection with this application, or should thereby any remaining issues pertaining to this application, the Examiner is asked to telephone the undersigned.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: 11-9-06

By:



KB McGoff
Kevin B. McGoff
Registration No. 53,297

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620